

SPECIAL COUNCIL - FEBRUARY 22, 1977PUBLIC HEARING

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 22, 1977, at 7:30 p.m., in the Council Chamber, third floor, City Hall, for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

PRESENT: Mayor Volrich
Aldermen Bellamy, Brown, Ford,
Gerard, Kennedy, Harcourt,
Marzari (Items 2, 3, 4)
Puil, Rankin

ABSENT: Alderman Gibson (Civic Business)

CLERK TO THE COUNCIL: M. Kinsella

COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin

SECONDED by Ald. Harcourt

THAT this Council resolve itself into Committee of the Whole, Mayor Volrich in the Chair, to consider proposed amendments to the Zoning and Development By-law.

- CARRIED UNANIMOUSLY

To aid the public present for the meeting, the Clerk to the Council read from the agenda that the Council had before it.

1. Text Amendment to Zoning and Development By-law No. 3575 -
Community Residential Facilities

An application has been received from the Director of Planning to amend the Zoning and Development By-law No. 3575 to establish a definition of Community Residential Facilities as follows:

"A. Section 2 'Definitions' is amended by inserting the following definition immediately after the definition of 'cellar':

" 'Community Residential Facility' shall mean any group living arrangement for a maximum of ten (10) persons with physical, mental, emotional or related handicaps and /or problems, that provides food and/or lodging and that is developed for the personal rehabilitation of its residents through self-help and/or professional care, guidance and supervision."

B. Conditional use sections of the Residential, Commercial, and Industrial District Schedules be amended by inserting the following:

'Community Residential Facility, provided that such adjacent property owners as may be deemed necessary by the Director of Planning be notified'.

C. CD-1 By-Law No. 4971 (Downtown Eastside) and No. 5016 (Cedar Cottage) is amended by inserting the following use:

'Community Residential Facility, provided that such adjacent property owners as may be deemed necessary by the Director of Planning be notified.' "

The foregoing amendment has been approved by the Vancouver Planning Commission.

Cont'd...

Special Council (Public Hearing) February 22, 19772

Text Amendment - Community Residential
Facilities (Cont'd)

The Director of Planning further recommended:

- " 1. That the words 'RM-1 as subsection 8 of Section 1A' be deleted from clause 2 of the amending by-law and the following new clause be added to the amending by-law:

'By-Law No. 3575 is further amended by inserting Section 2 to the RM-1 Multiple Dwelling District Schedule.

2. Uses which may be premitted subject to special approval by the Director of Planning.

With the approval of the Director of Planning development permits may be issued for the following uses. If the development permit is granted it shall be subject to such conditions and regulations as the Director of Planning may decide.

- (1) Community Residential Facility, provided that such adjacent property owners as may be deemed necessary by the Director of Planning be notified.' "

The Mayor called for speakers for or against the application and no one appeared.

MOVED by Ald. Rankin

THAT the foregoing application of the Director of Planning be approved.

- CARRIED UNANIMOUSLY

2. Rezoning - East Side of Skeena Street
Between East 2nd and East 5th Avenues

An application has been received from the Director of Planning to rezone the above-noted lands from M-2 Industrial District to a CD-1 Comprehensive Development District. The CD-1 By-law will restrict the form of development as follows:

- " 1. Uses:- institutions of a religious, philanthropic, or charitable character;
- dwelling units (not to exceed 10);
- day care centre;
- warehousing, wholesaling, and light manufacturing with all activities except parking and loading to be conducted completely within an enclosed building;
- customarily ancillary facilities (including off-street parking and loading).
2. Floor Space Ratio: shall not exceed 1.0.
3. Off-Street Parking: minimum number of off-street parking spaces shall be provided in accordance with Section 12 of the Zoning and Development By-Law No. 3575; provided, however, that the Director of Planning, in consultation with the City Engineer, may require additional off-street parking spaces. In the exercise of his discretion the Director of Planning shall have regard to the intensity of uses and hours of operation.

Cont'd...

East Side of Skeena Street Between
East 2nd and East 5th Avenues (Cont'd)

4. Off-street Loading: shall be provided in accordance with Section 13 of the Zoning and Development By-Law No. 3575,

Subject to the following:

1. The detailed scheme of development shall first be approved by the Director of Planning following advice from the Urban Design Panel having due regard to the quality of the overall design, the creation of harmony with surrounding development, the provision and maintenance of landscaping, off-street parking and loading, garbage collection facilities and the provision and location of mechanical equipment; and receiving comments from the Thunderbird Community.
 2. The development to be generally in accordance with the adopted development plan including the following provisions:
 - (a) No buildings to be constructed within a distance of 45 feet from Skeena Street.
 - (b) Vehicular ingress and egress to be exclusively from 5th Avenue east of Skeena Street.
 - (c) A bermed landscaped walkway/buffer to be constructed all along Skeena Street.
 - (d) The separate projects are to be screened from one another and from the neighbourhood.
 - (e) Landscaping to be integrated with the northerly abutting park and considered in terms of views from the 401 Freeway.
 3. The vehicular ingress and egress, off-street parking and loading to be provided that is satisfactory to the City Engineer.
 4. The height of the building shall not exceed 40 feet as measured from the average building grade as determined by the City Engineer.
- B. To amend the Sign By-Law No. 4810 to establish sign regulation for the CD-1 By-Law."

The application was approved by the Director of Planning and the Vancouver City Planning Commission.

It was noted at a Public Information meeting held with residents of the area on Monday, February 14, 1977 a proposal by the Akali Singh Sikh Society to build a Temple on the site was discussed in some detail.

Mr. R.R. Youngberg, Associate Director of Planning reviewed the history of the City-owned site dating back to June, 1973, when approval was given for the sale of lands in the Thunderbird area for housing and industrial purposes.

Cont'd . . .

East Side of Skeena Street Between
East 2nd and East 5th Avenues (Cont'd)

The Mayor called for speakers for or against the application and representations were received as follows:

- Mrs. M. Booth on behalf of Thunderbird Island Citizens submitted a brief and petition endorsing the use of the site for light industrial use and opposing development for church or institutional purposes.
- Mr. William B. Page, homeowner in the area, spoke to his brief supporting the rezoning and stated after inspecting Sikh Temples located on Marine Drive and Ross Street he felt the Akali Singh Sikh Society Temple would be an asset to the Thunderbird community.
- Dr. V.S. Pendakur, Akali Singh Sikh Society, referred to the Public Information Meeting held in the area and stated it was obvious at that meeting that residents were chiefly concerned about 10 dwelling units included in the proposed development. Subsequently, the Society re-examined its proposal and now agreed to scale down to only two dwelling units accommodating the priest and caretaker. He indicated the day care centre included in the development would be available to the community on weekdays.

Council also noted a communication from Mr. Walter H. Sime, 3493 East 3rd Avenue objecting to the proposed development and recommending the land on the east side of Skeena Street be zoned for industrial warehouse use only.

MOVED by Ald. Kennedy

THAT the foregoing application of the Director of Planning be approved, subject to the amendment of the portion of Section A1 - Uses, relating to dwelling units, to read:

dwelling units (not to exceed 2, and
to be church related).

- CARRIED UNANIMOUSLY

3. Amendment to By-law No. 3575
Establishment of the (RS-1 A) One-Family
Dwelling District (Secondary Suites)

An application has been received from the Director of Planning to amend the Zoning & Development By-law No. 3575 as follows:

- " A. To establish a new district schedule to be known and described as (RS-1A) One family dwelling district (Secondary Suites).

It is the intent of this District Schedule to maintain the singlefamily character of the area to be rezoned but allow as a conditional use one dwelling unit in addition to the principal dwelling unit by conversion of the one-family dwelling which is in existence prior to the date of enactment of the zoning change. The additional unit must first be approved by the Director of Planning and the Development Permit will be valid for a period of five years. Purposely designed or outright duplex construction will not be permitted.

cont'd....

Amendment to By-law No. 3575
Establishment of the (RS-1 A) One-Family
 Dwelling District (Secondary Suites) (Cont'd)

The Director of Planning, in approving any Development Permit for an additional unit, would have to have regard to minimum standards developed by the Planning Department in consultation with the Departments of Permits and Licenses and Health as outlined below:

A dwelling unit in addition to the principal dwelling unit by conversion of the one-family dwelling which is in existence prior to (Date of Enactment), a Development Permit may be granted for a five-year period provided that the owner of the property shall reside within the dwelling. In approving such Development Permit, the Director of Planning shall have regard to the following:

- (a) The additional dwelling unit shall have a minimum floor area of 400 square feet, subject to any relaxation under Section 11(8).
- (b) The additional dwelling unit shall have a minimum ceiling height of 7'-6", however, the Director of Planning, on the advice of the Director of Permits and Licenses, may, in his discretion, permit a ceiling height of 7'-0" having, in both cases, due regard to the provision of adequate damp proofing, lighting, ventilation, heating and secondary means of egress.
- (c) Where the additional dwelling unit is to be located in a basement, the level of the basement floor shall be no more than 2 feet 6 inches below the finished grade of the adjoining ground, however, the Director of Planning, on the advice of the Director of Permits and Licenses, may, in his discretion, permit a basement depth of 3 feet having, in both cases, due regard to the provision of adequate damp proofing, lighting ventilation, heating and secondary means of egress.
- (d) At least one off-street parking space shall be required for dwellings having a secondary suite.
- (e) Structural changes increasing or otherwise varying the height or yard allowances of a dwelling beyond what is otherwise required or permitted, may be permitted by the Director of Planning where such changes are necessary to create an additional dwelling unit and provided that the design of such changes is first approved by the Director of Planning.

And Subject to the following:

- 1. The owner will be required to enter into a restrictive covenant binding the owner to occupy one of the dwelling units of the building to ensure occupancy.
- B. Schedule B is amended by inserting a new subsection (4) to Section 1A below, and subsection (1) and (2) be amended to implement this new subsection:

(4) Buildings containing one or two dwelling units on sites with or without secondary access in (RS-1A) Districts.	One parking space for each building'
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- C. To rezone the (RS-1) One-Family Dwelling Districts in Cedar Cottage and a portion of Kitsilano to (RS-1A) One-Family Dwelling District (Secondary Suite). "

Amendment to By-law No. 3575
 Establishment of the (RS-1 A) One-Family
 Dwelling District (Secondary Suites) (Cont'd)

The foregoing application has been approved by the Director of Planning and the Vancouver City Planning Commission.

The Director of Planning in a memo dated February 22, 1977, also recommended the following two uses be included by amending Section 2 and inserting the following in the appropriate place:

1. Community Residential Facility, provided that such adjacent property owners as may be deemed necessary by the Director of Planning be notified.
2. Public Utility.

It was noted residents of the identified areas to be rezoned, namely the RS-1 areas of Cedar Cottage and a portion of Kitsilano in the vicinity of Connaught Park, had indicated majority approval in a plebiscite on secondary suites conducted by the City in January, 1976.

The Associate Director of Planning, Mr. R.R. Youngberg, discussed with Council the intent of the proposed amendment. He stated the situation would be monitored and a report submitted to Council in a year's time.

The Mayor called for speakers for or against the application and representations were received as follows:

- Mr. D. Cook, 3956 Commercial Drive, opposed secondary suites in Cedar Cottage on the grounds there would be problems with parking and vandalism.
- Mr. D.R. Dyson, 3950 Beatrice, objected and cited instances where secondary suites attracted transient residents who were not prepared to live in the neighbourhood for any appreciable length of time.
- Mr. C. Schmit, also objected and stated he had been forced to move from one area of Kitsilano because of conditions caused by a high level of illegal suites.
- Mrs. L. Gold, 4039 Victoria Drive, spoke in favour of the proposed By-law amendment.

MOVED by Ald. Rankin

THAT the foregoing application of the Director of Planning be approved subject to the restrictive covenant referred to in Condition 1 being registered against the property in the Land Registry Office.

- CARRIED

(Alderman Bellamy opposed.)

4. Text Amendment - Retaining Walls

It was noted that the Director of Planning was requesting his application for a text amendment to Section 10, pursuant to Council's resolution of December 7, 1976, be deferred.

Text Amendment - Retaining Walls (Cont'd)

MOVED by Ald. Rankin
THAT the application of the Director of Planning relating to a text amendment to Section 10, be deferred.

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin
THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Harcourt
SECONDED by Ald. Rankin
THAT the report of the Committee of the Whole be adopted and the Director of Legal Services be instructed to prepare and bring in the necessary amendments to the Zoning and Development By-law.

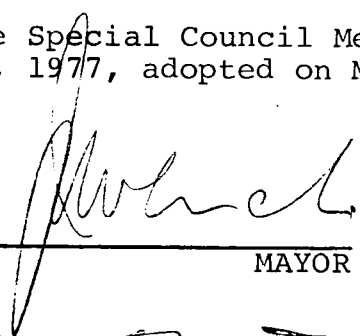
- CARRIED UNANIMOUSLY

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The Council adjourned at approximately 9:00 p.m.

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The foregoing are Minutes of the Special Council Meeting (Public Hearing) of February 22, 1977, adopted on March 8, 1977.



MAYOR



CITY CLERK